

DOCKET FILE COPY ORIGINAL
ORIGINAL

RECEIVED

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

SEP 20 1993

In the Matter of)

Tariff Filing Requirements for)
Nondominant Common Carriers)

To: The Commission

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY
CC Docket No. 93-36

93-36

MOTION TO ACCEPT LATE-FILED PLEADING

MCI Telecommunications Corporation (MCI) hereby requests that the Commission accept and consider in the course of its deliberations herein MCI's "Opposition to AT&T Application for Stay of Order Pending Appellate Review."

Under Section 1.44(d) of the Commission's Rules and Regulations, MCI's Opposition was due to be filed on September 14, 1993. The undersigned miscalculated the filing deadline and filed, instead, on September 15, one day late. It is MCI's understanding that the Commission is treating MCI's late Opposition as an "ex parte" filing and has so stamped it.

If the Commission were to fully consider MCI's Opposition in disposing of AT&T's stay request, then it would not matter whether this Motion is granted. If, however, the Commission were inclined not to consider MCI's Opposition because of its status as an "ex parte" filing, then MCI respectfully requests that this Motion be granted.

No party's rights would be prejudiced by grant of this Motion because, under the applicable Commission rule, no

No. of Copies rec'd 8-4
List ABCDE

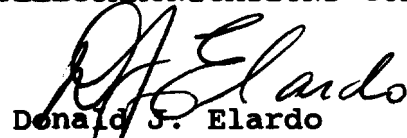
reply or other filing opportunity is contemplated or permitted. Thus, no party will be delayed or inconvenienced by MCI's tardy filing. Moreover, in the mistaken belief that its Opposition was being filed on a timely basis, MCI properly served all the parties in this proceeding. This act and the fact that it was received by all interested parties renders it very much unlike the usual "ex parte" communication, which is normally not served upon other parties to a proceeding. In the usual course, then, interested parties are required to make special efforts to acquire "ex parte" filings from the Commission.

Finally, and most important, AT&T's stay request, if granted, would have a profound effect upon the interexchange telecommunications industry, thereby rendering it essential that the Commission have all views of interested parties before it when it decides AT&T's request.

In view of the foregoing, good cause having been shown, the Commission is respectfully requested to grant this Motion and include fully in its deliberations MCI's Opposition to AT&T's stay request.

Respectfully Submitted,

MCI TELECOMMUNICATIONS CORPORATION


Donald J. Elardo
1801 Pennsylvania Avenue, N.W.
Washington, D.C. 20006
(202) 887-2006

Its Attorney

Dated: September 20, 1993

CERTIFICATE OF SERVICE

I, Cassandra Santos, do hereby certify that on this 20th day of September, 1993, a copy of the foregoing "Motion to Accept Late-File Pleading" was mailed by the U.S. first class mail, postage prepaid, to the parties listed below.

James S. Blaszk
Patrick J. Whittle
Gardner, Carton & Douglas
1301 K Street, N.W.
Washington, D.C. 20006
Attorneys for Ad Hoc
Telecommunications Users
Committee

John Bartlett
Robert J. Butler
Rosemary C. Harold
1776 K Street, N.W.
Washington, D.C. 20006
Attorneys for Aeronautical
Radio, Inc.

David C. Jatlow
Young & Jatlow
2300 N. Street, N.W.
Washington, D.C. 20037
Counsel for RGT Utilities

Josephine S. Trubek
Michael J. Shortley, III
RCI Long Distance, Inc. &
Rochester Telephone
Mobile Communications
180 South Clinton Avenue
Rochester, NY 14646

Heather Burnett Gold
Association for Local
Telecommunications Services
1150 Connecticut Avenue, N.W.
Suite 1050
Washington, D.C. 20036

Francine J. Berry
R. Steven Davis
Roy E. Hoffinger
295 North Maple Avenue
Room 3244J1
Basking Ridge, New Jersey
Attorneys for American
Telephone and Telegraph
Company

Albert H. Kramer
Robert F. Aldrdich
Keck, Mahin & Cate
1201 New York Avenue, N.W.
Penthouse Suite
Washington, D.C. 20005-3919
Attorneys for American
Public Communications
Council

Floyd S. Keene
Mark R. Ortlieb
2000 W. Ameritech Center Drive
Room 4H84
Hoffman Estates, IL 60196-1025
Attorneys for Ameritech

Randall B. Lowe, Esq.
Mary E. Brennan, Esq.
Jones, Day, Reavis & Pogue
1450 G Street, N.W.
Washington, D.C. 20005-2088
Attorneys for Penn Access
Corporation

Carl W. Northrop
Bryan Cave
Suite 700
700 13th Street, N.W.
Washington, D.C. 20005
Attorneys for
PacTel Paging
Arch Communications Group,
Inc.
AACS Communications Inc.
Centrapage, Inc.
Crowley Cellular
Telecommunications, Inc.
Kelley's Telecommunications
Nunn's Communications
Services, Inc.
Radio Electronic Products
Corporation

James P. Tuthill
John W. Bogy
Pacific Bell and Nevada Bell
140 New Montgomery Street
Room 1530-A
San Francisco, CA 94105

James L. Wurtz
Pacific Bell and Nevada Bell
1275 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Patrick A. Lee
Edward E. Niehoff
New York Telephone Company
and New England Telephone
and Telegraph Company
120 Bloomingdale Road
White Plains, NY 10605

David Cosson
L. Marie Guillory
National Telephone
Cooperative Association
2626 Pennsylvania Avenue, N.W.
Washington, D.C. 20037

Martin W. Bercovici
Keller and Heckman
1001 G Street, N.W.
Suite 500 West
Washington, D.C. 20001
Attorneys for
Marine Radio, Inc.

Cindy Z. Schonhaut
Andrew D. Lipman
Jonathan E. Canis
MFS Communications Company,
Inc.
3000 K Street, N.W.
Suite 300
Washington, D.C. 20007

Scott K. Morriss
McCaw Cellular
Communications, Inc.
5400 Carillon Point
Kirkland, WA 98033

Cathleen A. Massey
McCaw Cellular
1250 Connecticut Avenue, N.W.
Suite 401
Washington, D.C. 20036

Stuart Dolgin
Local Area
Telecommunications, Inc.
17 Battery Place
Suite 1200
New York, NY 10004

Catherine Wang
Swidler & Berline, Chartered
3000 K Street, N.W.
Washington, D.C. 20007
Counsel for Local Area
Telecommunications, Inc.

Joseph P. Markoski
Andrew W. Cohen
Squire, Sanders & Dempsey
1201 Pennsylvania Avenue, N.W.
P.O. Box 407
Washington, D.C. 20044
Attorneys for Information
Technology Association of
America

Brian R. Moir
Fisher, Wayland, Cooper &
Leader
1255 23rd Street, N.W.
Suite 800
Washington, D.C. 20037-1170
Attorney for International
Communications Association

Steven J. Hogan
LinkUSA Corporation
230 Second Street, S.E.
Suite 400
Cedar Rapids, IA 52401

Leon M. Kestenbaum
Michael B. Fingerhut
Marybeth M. Banks
SPRINT Communications
Company L.P.
1850 M Street, N.W.
11th Floor
Washington, D.C. 20036

James D. Ellis
William J. Free
Paula J. Fulks
Southwestern Bell
Corporation
175 E. Houston, Room 1218
San Antonio, TX 78205

Spencer L. Perry, Jr.
Telecommunications Reseller
Association
P.O. Box 5020
Hoboken, New Jersey 07030

Robert W. Healy
Smithwick & Belendiuk, P.C.
1990 M Street, N.W.,
Suite 510
Washington, D.C. 20036
Attorney for Telecom
Services Group, Inc.

Thomas A. Stroup
Mark Golden
TELEOCATOR
1019 19th Street, N.W.
Suite 1100
Washington, D.C. 20036

J. Manning Lee
Teleport Communications
Group
1 Teleport Drive, Suite 301
Staten Island, N.Y. 10011

Martin T. McCue
Linda Kent
United States Telephone
Association
900 19th Street, N.W.
Suite 800
Washington, D.C. 20006-2105
Attorneys for Tele-
Communications Association

Spencer L. Perry, Jr.
Telecommunications Reseller
Association
P.O. Box 5020
Hoboken, New Jersey 07030

R. Michael Senkowski
Jeffrey S. Linder
Michael K. Baker
Wiley, Rein & Fielding
1776 K Street, N.W.
Washington, D.C. 20006
Attorneys for Tele-
Communications Association

Kenneth Robinson
Lafayette Center
P.O. Box 57-455
Washington, D.C. 20036

Albert Halprin
Melanie Haratunian
Halprin, Temple & Goodman
Suite 1020, East Tower
1301 K Street, N.W.
Washington, D.C. 20005

Michael D. Lowe
Lawrence W. Katz
Edward D. Young, III
Bell Atlantic Telephone
Companies
1710 H Street, N.W.
Washington, D.C. 20006

Howard Monderer
National Broadcasting
Company, Inc.
Suite 930, North Office Bldg.
1331 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

W. Bruce Hanks
Century Cellunet, Inc.
100 Century Park Avenue
Monroe, LA 71203

Geneviev Morelli
Competitive Telecommunications
Association
1140 Connecticut Avenue, N.W.
Washington, D.C. 20036

Robert W. Healy
Smithwick & Belendiuk, P.C.
1990 M Street, N.W.
Suite 510
Washington, D.C. 20036
Attorney for Telecom
Services Group, Inc.

William B. Barfield
Richard M. Sbaratta
Rebecca M. Hough
BellSouth
Telecommunication, Inc.
Suite 1800
1155 Peachtree Street, N.E.
Atlanta, Georgia 30367-6000

Randolph J. May
Richard S. Whitt
Sutherland, Asbill & Brennan
1275 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Sam Antar
Capital Cities/ABC, Inc.
77 West 66th
New York, New York, 10023

Michael F. Altschul
Michele C. Farquhar
Cellular Telecommunications
Industry Association
Two Lafayette Center
Suite 300
1133 21st Street, N.W.
Washington, D.C. 20036

Kathy L. Shobert
General Communication, Inc.
888 16th Street, N.W.
Suite 600
Washington, D.C. 20006

Danny E. Adams
Michael K. Baker
Wiley, Rein & Fielding
1776 K Street, N.W.
Washington, D.C. 20006
Attorneys for Competitive
Telecommunications
Association

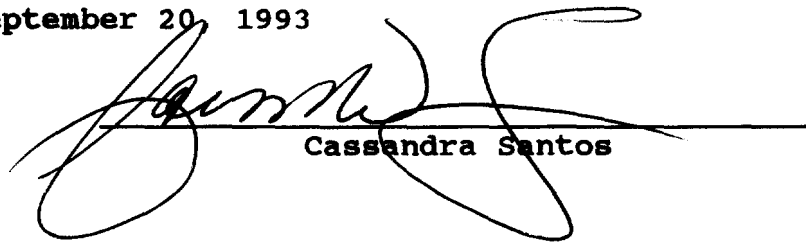
Philip V. Otero
Alexander P. Humphrey
GE American
Communications, Inc.
1331 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Walter Steinel, Jr.
Fish & Richardson
601 13th Street, N.W.
5th Floor North
Washington, D.C. 20005
Attorneys for Pilgrim
Telephone, Inc.

Joseph P. Markoski
Squire, Sanders & Dampsey
1201 Pennsylvania Avenue, N.W.
P.O. Box 407
Washington, D.C. 20044
Attorneys for Information
Technology Association

Ellen S. Deutsch
Electric Lightwave, Inc.
Suite 200
Vancouver, WA 98662

Dated: September 20, 1993



Cassandra Santos